

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
COLUMBUS DIVISION

RITA KINKELAAR,
Plaintiff,

v.

JPMORGAN CHASE BANK, N.A.,
Defendant.

Case No. 2:18-cv-00681-GCS-KAJ

**NOTICE OF VOLUNTARY DISMISSAL
PURSUANT TO FED.R.CIV.P. 41(a)(1)(A)(i)**

NOW COMES, Plaintiff, Rita Kinkelaar, through her undersigned attorneys and respectfully states and prays:

1. On July 12, 2018, Plaintiff filed the complaint in this case (Dkt. 1).

2. Defendant was served with Summons and the Complaint on July 19, 2018 (Dkt. 2), but has not filed a responsive allegation.

3. Federal Rule of Civil Procedure 41 provides, in relevant part:

(a) Voluntary Dismissal.

(1) *By the Plaintiff.*

(A) *Without a Court Order.* Subject to Rules 23(e), 23.1(c), 23.2, and 66 and any applicable federal statute, the plaintiff may dismiss an action without a court order by filing:

(i) a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment; or

(ii) a stipulation of dismissal signed by all parties who have appeared.

(B) *Effect.* Unless the notice or stipulation states otherwise, the dismissal is without prejudice. But if the plaintiff previously dismissed any federal-or state-court action based

on or including the same claim, a notice of dismissal operates as an adjudication on the merits.”

Fed.R.Civ.P. 41, 28 U.S.C. (emphasis added).

4. Pursuant to Fed.R.Civ.P. 41(a)(1)(A)(i), Plaintiff respectfully notifies the voluntary dismissal of the Complaint, without prejudice.

WHEREFORE, Plaintiff respectfully requests this Honorable Court to GRANT the instant request for voluntary dismissal of the present case without prejudice.

CERTIFICATION: I hereby certify that the foregoing document has been filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all attorneys of record and also sent by US Postal Service to **JPMorgan Chase Bank, N.A.** at 1111 Polaris Parkway, Columbus, OH 43240.

RESPECTFULLY SUBMITTED on August 7, 2018.

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